

375-2-31-.03 Notice of Lien to be submitted to Department.

(a) If, after proper notice to the owner, lessor, lessee, and any holder of a security interest or lien, a vehicle has not been redeemed within thirty (30) days and the vehicle becomes an abandoned motor vehicle, the person removing the vehicle may assert the lien so created by submitting their affidavit and the required fees to the Department or to the county tag agent in the county where the vehicle is held.

(b) Within seven (7) calendar days from the date upon which the vehicle became an abandoned motor vehicle, the person removing the vehicle must submit notice to the Department containing:

- (1) The name, customer number, street address, and telephone number of the person removing the vehicle;
- (2) The name(s) and address of all known owner(s), lessor(s), lessee(s), and holder(s) of any security interest or lien;
- (3) A complete description of the vehicle, including vehicle identification number ("VIN"), make, model, year, and color;
- (4) The location from which the vehicle was removed;
- (5) The current location of the vehicle; and
- (6) The date on which the vehicle was removed.

(c) Upon receipt of the notice and fees, the Department will provide a notice to be mailed to each owner, lessor, lessee, and holder of a security interest or lien declaring that the vehicle has become an abandoned motor vehicle and that the person removing the vehicle intends to assert the lien created by law for the accrued fees for the removal and storage of the vehicle. Said notice will advise each owner, lessor, lessee, and holder of a security interest or lien of the name of the person removing the vehicle, the current location of the vehicle, and the fact that the lien will be perfected, and foreclosure action may begin, thirty (30) days after the date of the notice.

(d) The person removing the vehicle shall, within five (5) calendar days after receipt of the notice from the Department or the county tag agent, transmit the notice to the owner, lessor, lessee, and any holder of a security interest or lien by:

- (1) Personal delivery, accompanied by a written acknowledgement of delivery;
- (2) Certified mail, return receipt requested; or
- (3) Statutory overnight delivery.

In addition, an additional duplicate copy of said notification shall also be transmitted by first class mail, postage prepaid.

(e) If the person removing the vehicle has complied with the requirements of Ga. Admin. Comp. Ch. 375-2-31-.02, and the person cannot obtain any information reflecting the name of the owner, lessor, lessee, or any holder of a security interest or lien, the person must post the notice in the county from which the vehicle was removed. Said notice shall be placed in a newspaper of general circulation or, if there is no such newspaper, shall be posted at the county courthouse with other public notices. The notice shall run in the newspaper once per week for two consecutive weeks or be posted at the county courthouse for two consecutive weeks.

(f) All forms and notices referred to in this regulation shall be prescribed by and obtained from the Department.

Authority: O.C.G.A. §40-11-1, *et seq.*

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(b) Within seven (7) calendar days from the date upon which the vehicle became an abandoned motor vehicle, the person removing the vehicle must submit notice and a processing fee in the amount of \$2.00 to the Department containing:

- (1) The name, customer number, street address, and telephone number of the person removing the vehicle;
- (2) The name(s) and address of all known owner(s), lessor(s), lessee(s), and holder(s) of any security interest or lien;
- (3) A complete description of the vehicle, including vehicle identification number ("VIN"), make, model, year, and color;
- (4) The location from which the vehicle was removed;
- (5) The current location of the vehicle; and
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SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

This regulation is enacted to specify the fee for obtaining title and registration information on an abandoned vehicle.

DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES

The words “and a processing fee in the amount of \$2.00” were added to paragraph (b).